

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**WALTER BURSEY,**

**Defendant.**

**No. 09-30067-DRH**

**ORDER**

**HERNDON, Chief Judge:**

Before the Court is Defendant Bursey's motion for continuance (Doc. 18). Defendant requests that the trial be continued because his counsel is involved in a jury trial scheduled to begin the same day as the above captioned case. Further, Defendant is engaged in negotiations with the Government which may lead to an agreed disposition in this case. Forcing the parties to trial on a case that appears to have a great potential to resolve amicably would be a great miscarriage of justice. Further, the Court finds that pursuant to **18 U.S.C. § 3161(h)(7)(A)**, the ends of justice served by the granting of such a continuance outweigh the best interests of the public and the Defendant in a speedy trial.

Therefore, the Court **GRANTS** Defendant Bursey's motion for continuance (Doc. 18). The Court **CONTINUES** the jury trial scheduled for September 21, 2009 until **October 13, 2009 at 9:00 a.m.** The time from the date the original motion was filed, September 11, 2009, until the date on which the trial is rescheduled, October 13, 2009, is excludable for purposes of a speedy trial.

Should either party believe that a witness will be required to travel on the Justice Prisoner and Alien Transportation System (JPATS) in order to testify at the trial of this case, a writ should be requested at least two months in advance.

**IT IS SO ORDERED.**

Signed this 14th day of September, 2009.

/s/ David R. Herndon

**Chief Judge  
United States District Court**